

HOUSE JOINT RESOLUTION 643
By Fowlkes

A RESOLUTION to create a special joint committee to study and review existing law concerning communications security and the theft of communications services.

WHEREAS, the Ninety-ninth Tennessee General Assembly enacted Public Chapter 800, the Tennessee Unlawful Telecommunications Device Act, to prohibit the unlawful theft of telecommunications services; and

WHEREAS, since that time, technology has evolved at a rapid pace whereby review of the existing statute is deemed necessary in order to maintain relevancy and prevent theft of communication services; and

WHEREAS, a special joint committee to study communications security relative to the theft of communications services with the charge to hear public testimony, review pending legislation and develop a comprehensive statute would be in the best interest of all Tennesseans; and

WHEREAS, such a special joint committee should consider the protection of intellectual property rights while allowing consumers to utilize the latest technology they have lawfully purchased, mindful of the freedoms granted to all Americans in the United States Constitution; and

WHEREAS, legislation and debate on communications security and theft has become a national issue that should be carefully and exhaustively studied by the General Assembly; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, That there is hereby created a special joint committee to study communications security, the theft of communications services and any other related communications issues the committee deems appropriate.

BE IT FURTHER RESOLVED, That the committee shall consist of three (3) members of the Judiciary Committee of the House of Representatives, to be recommended by the Chair of the Judiciary Committee and appointed by the Speaker of the House of Representatives; and three (3) members of the Judiciary Committee of the Senate, to be recommended by the Chair of the Judiciary Committee and appointed by the Speaker of the Senate.

BE IT FURTHER RESOLVED, That all appropriate state agencies shall provide assistance to the special joint committee upon request of the Chair.

BE IT FURTHER RESOLVED, That the special joint committee shall be convened by the member with the most years of continuous service in the General Assembly; and at its first meeting shall elect a Chair, Vice-Chair, and such other officers the committee deems necessary.

BE IT FURTHER RESOLVED, That the special joint committee shall timely report its findings and recommendations, including any proposed legislation or interim reports, to the One

Hundred Third General Assembly, by February 1, 2004, at which time the committee shall cease to exist.